Sec. 24-540. - CCD-2 City Center District.

A. *Purpose.* The CCD-2 City Center District is the center of the City of Bellaire's economic community and the focal point of the City's visual character, characterized by the zoning requirements set forth in this Section.

B. *Uses.*

(1) *Permitted uses.*

a) Combined Retail/Residential.

b) Public parks.

c) Utilities:

1) Local utility distribution lines; and

2) Telephone lines and related cross connecting points.

d) Accessory uses, subject to the requirements of Section 24-510

e) Facilities owned and maintained by the City.

f) Planned Development: Commercial.

g) Banks, savings and loan associations and similar institutions.

h) Business and professional offices and services.

i) General retail sales and services:

1) Antique shop;

2) Bakery or confectionery shop;

3) Cleaning and pressing, small shop or pick up;

4) Clothing store;

5) Custom personal service shop;

6) Delicatessen;

7) Department store;

8) Drapery and/or carpet shop;

9) Drug store;

10) Florist or plant shop;

11) Furniture store;

12) Grocery store;

13) Hardware store;

14) Household appliance sales and/or service;

15) Licensed medical services;

16) Mortuary or funeral parlor;

17) Needlework, weaving or other arts and crafts shop;

18) Newsstand;

19) Office supplies, stationery or letter shop;

20) Package liquor store;

21) Paint and/or wallpaper store;

22) Pet shop and pet grooming;

23) Pharmacy;

24) Speed copying service;

25) Studio for photography, music, art or health;

26) Travel agency;

27) Variety store; and

28) Veterinary clinic.

j) Hotels and motels.

k) Restaurants without drive-in service and cafeterias.

l) Recreational and entertainment uses:

1) Amusement, commercial indoor;

2) Art gallery or museum;

3) Athletic, swimming or tennis club and/or facilities;

4) Private club; and

5) Theater, indoor.

(2) *Specific uses.*

a) Educational, institutional and special uses:

1) Hospital, acute and/or chronic care, nursing home;

2) Kindergarten, nursery and/or day care center;

3) Radio, television or microwave antenna or tower; and

4) School, business or trade.

b) Facilities for drive-in banking.

c) Restaurant with drive-in service.

d) Transportation, automobile and related uses:

1) Auto or motorcycle sales;

2) Auto parts sales;

3) Automobile service stations;

4) Commercial parking garage;

5) Passenger terminal, bus passenger station or heliport.

e) Any other uses that provide for the sale of convenience goods and personal services which would meet the daily needs of the neighborhood area.

(3) *Additional use requirements.* It shall be unlawful for any person to make use of any property located within the CCD-2 City Center District, except in accordance with the uses permitted in this District, with the performance standards set forth in Division 1 of this Article and with the additional regulations listed below.

a) *Trash and laundry.* No collection, storage for refuse, debris or garbage generated by any use shall be allowed in this district when such storage is visible from publicly owned streets. No hanging of laundry, cleaning rags, mops or similar items shall be allowed within view of publicly owned streets. Screening structures erected to obscure such items from view from publicly owned streets shall meet applicable city specifications for materials and construction as set forth in Section 24-513

b) *Sidewalk sales.* The open display of merchandise shall only be permitted wherein a permit shall have been previously issued by the Building Official, for a period not exceeding two (2) successive days and not exceeding four (4) times per calendar year.

C. *Standard regulations.*

(1) *Commercial and/or Residential Structures.*

a) *Size and area.*

1) *Minimum lot area:* 5,000 square feet.

2) *Minimum lot width:* 50 feet.

3) *Minimum lot depth:* 50 feet.

4) *Maximum building height:* Four (4) stories, except that cooling towers, chimneys, radio and television antennas, vent stacks and similar extensions may extend to a height not to exceed sixty-two (62) feet. A greater height may be permitted in the granting of a specific use amendment for radio, television and microwave antenna or tower.

5) *Maximum floor area to lot area:* 50 percent of lot area per floor, with a minimum residential area of nine-hundred (900) square feet per unit.

6) *Minimum required yards:*

a. *Front yard:* Fifteen (15) feet;

b. *Side yard:* No side yard is specified except that:

1. Where a side yard abuts a lot which is either zoned residential or in residential use, the minimum side yard shall be ten (10) feet; or

2. On a corner lot abutting a lot which is either zoned residential or in residential use, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed; on lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet;

c. *Rear yard:* Ten (10) feet.

7) *Maximum lot coverage:* 90 percent of lot area when at least 50 percent of the remaining ten (10) percent of green area shall be located in the front yard space or, in the alternative, 75 percent of the lot area.

8) *Maximum lot coverage bonus:* The maximum lot coverage, as herein provided, may be increased by one square foot of landscaped area which is permeable and within the area encompassed by the drip line of a tree that is at least four inches in trunk diameter, measured four feet off the ground, and located within the front yard space. The Building Official of the City of Bellaire shall be permitted to grant the lot coverage bonus in accordance with this provision for either trees planted on the building site or within a public street right-of-way that is adjacent to the property upon which the building site is located. For trees planted within the adjacent and abutting right-of-way, credit may be extended up to a maximum lot coverage of 100 percent. All trees shall be planted in accordance with the provisions of this Code (Section 24-513) and the prevailing Tree Ordinance.

9) *Sidewalks:* Sidewalks shall be required along each side of the lot which abuts a public street. All sidewalks shall be constructed in accordance with the requirements of the City Code.

10) *Parking:* A minimum number of parking spaces shall be required as specified in Section 24-514a of the City Code.

D. *Planned Development: Commercial or Combined Commercial and Residential.* Commercial or combined commercial and residential planned developments may be approved in this District under the amendatory procedures of this chapter, subject to the following restrictions and limitations.

(1) *Size and area.*

a) *Site area:*

1) Shopping center or combined shopping center and residential development: The minimum site area shall be three (3) acres.

2) Office plaza or combined shopping center and residential development: The minimum site area shall be one (1) acre.

b) *Maximum building height:*

1) *Shopping center:* Two (2) stories, except that cooling towers, chimneys, radio and television antennas, vent stacks and similar extensions may extend to a height not to exceed forty (40) feet. Radio communications antennas for non-commercial service may not exceed sixty-two (62) feet.

2) *Office plaza or combined office plaza and residential development:* Six (6) stories, except that cooling towers, chimneys, radio and television antennas, vent stacks and similar extensions may extend to a height not to exceed ninety-six (96) feet. A greater height may be permitted in the granting of a specific use amendment for radio, television and microwave antenna or tower. If additional height is approved by the planned development amendment to accommodate a development intensity bonus, then the maximum building height shall not exceed ten (10) stories.

c) *Maximum floor area to site area:*

1) *Shopping center:* 34 percent of site area;

2) *Office plaza:* 120 percent of site area.

d) *Building lines:* None are prescribed except as may be established by the planned development amendment.

e) *Minimum residential space per residential unit:* 900 square feet.

(2) *Sidewalks.* Sidewalks shall be required as established by the planned development amendment.

(3) *Screening.* None is prescribed except as may be established by the planned development amendment.

(4) *Landscaping.* None is prescribed except as may be established by the planned development amendment.

(5) *Outdoor lighting.* All outdoor lighting shall be located, screened or shielded so that adjacent residential lots or structures are not directly illuminated.

(6) *Accessory uses.* In a commercial office building, residential and retail accessory uses to the predominant office use may be allowed so long as the total area occupied by such retail accessory uses does not exceed thirty-three percent of the total use and so long as the number of dwelling units does not exceed twelve (12) per acre for the total project site.

(7) *Development intensity bonuses.* Notwithstanding any other provisions of this Section, a planned development amendment may be granted which permits floor area ratio increases over and above that permitted by other provisions of this Section not to exceed the amounts set out herein, except that the cumulative amount of any bonus granted may not cause the total floor area to exceed 300 percent of the site area.

a) *Public open space:* One percent floor area to site area for every one percent of the development site over and above the fifteen percent base requirement, that is preserved in landscaped open space, plazas with public art, fountains and/or pedestrian walkways.

b) *Parking:* One percent floor area to site area for every three percent of a parking structure located below ground level or for every three percent of a parking structure integrated into the base structure of the main building that it serves.

c) *Land assembly:* The allowable maximum floor area to site area (floor area ratio) for any site assembled that is in excess of one (1) acre may be increased by an amount computed as follows:

.05 (total site minus one (1) acre) divided by one (1) acre

d) *Street orientation, siting and design:* Increase in floor area to site area of up to thirty-three percent for special street orientation, such as conversion of single loaded shopping streets to double loaded shopping streets, siting or design features that achieve a standard of excellence in relation to the specific environment in which the project is located and that exceed other requirements of this Code.

(8) *Parking.* A minimum number of parking spaces shall be required as specified in Section 24-514a of the City Code.

(Ord. No. 01-037, § 5(24-540), 4-16-2001)